

02/20/2018

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. February 20, 2018, pursuant to adjournment on February 13, 2018. Commissioners present were: Bender, Beninga, Heiberger, and Karsky. Commissioner Barth was absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Karsky, seconded by Bender, to approve the agenda. 4 ayes.

MINUTES APPROVAL

MOTION by Bender, seconded by Beninga, to approve the February 13, 2018, Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Karsky, seconded by Beninga, to approve the following bills totaling \$854,358.13. 4 ayes.

|                       |                 |           |                      |                 |            |
|-----------------------|-----------------|-----------|----------------------|-----------------|------------|
| A&B Business          | Lease-Rental    | 160.17    | A&B Business         | Maint           | 186.50     |
| A To Z World Language | Interpreters    | 380.00    | Action Electric      | Bldg/Yard Rep   | 306.12     |
| Adani Systems         | Furniture       | 75,000.00 | Adani Systems        | Scaap Funds     | 134,900.00 |
| Advanced Pest         | Maint           | 70.00     | Ahrendt, Cynthia J   | Child Defense   | 4,378.72   |
| Airgas                | Lease-Rental    | 43.40     | Airway Svc           | Gas,Oil,Diesel  | 38.95      |
| Alcohol Monitoring    | Scram           | 105.60    | Allied Oil & Tire    | Truck Repair    | 39.50      |
| Architecture          | Repair/Reno     | 600.00    | Atssa                | Education       | 290.00     |
| Automatic Building    | Other Prof      | 459.00    | Avera McKennan       | Blood Withdraw  | 125.00     |
| Avera McKennan        | Hospitals       | 12,837.96 | Axis Forensic Toxico | Lab Costs       | 120.00     |
| Baumgartner's Elec    | HHS-City Shar   | 9,906.00  | Bechtel, David       | Welfare Rent    | 500.00     |
| Berg, Jerald A        | Welfare Rent    | 700.00    | Boyce Law Firm,      | Professional    | 1,136.25   |
| Boyer Trucks          | Truck Repair    | 92.78     | Brandon Ace Hardware | Automotive      | 128.80     |
| Brandon Fire Dept     | Education       | 400.00    | Bruxvoort, Jordan    | Interpreters    | 50.00      |
| Builders Supply       | Small Tools     | 715.50    | Cartridge World      | Data Process    | 1,336.82   |
| Cartridge World       | Office Supplies | 113.00    | Center For Family    | Other Prof      | 480.16     |
| Century Business      | Maint           | 97.19     | Century Business     | Office Supplies | 270.00     |
| Centurylink           | Contract Svc    | 13.43     | Centurylink          | Telephone       | 1,676.21   |
| Certified Languages   | Interpreters    | 4.95      | Change Healthcare    | Data Process    | 49.00      |
| Chasing Willows       | Welfare Rent    | 500.00    | Civil Design         | Architects      | 18,432.50  |
| Cleveland Heights     | Welfare Rent    | 266.00    | Coacher, Keith       | Other Misc      | 150.00     |
| Colton Fire Dept      | Education       | 300.00    | Concrete Materials   | Road Material   | 32,673.72  |
| Counseling Resources  | Attorney Fees   | 300.00    | Culligan Water       | Data Process    | 35.00      |
| Cyntom Property       | Welfare Rent    | 500.00    | Dakota Auto Parts    | Fairgrounds     | 2.40       |
| Dakota Data Shred     | Office Supplies | 641.70    | Dakota Data Shred    | Trash Removal   | 121.64     |
| Dakota Fluid Power    | Truck Repair    | 396.76    | Dakota Law Firm      | Attorney Fees   | 470.00     |
| Dakota Psychological  | Psych Evals     | 3,681.00  | Darecatalog.Com      | Other Supplies  | 191.34     |
| Decastro Law          | Attorney Fees   | 582.80    | Dedula, Carla F      | Court Reporter  | 55.20      |
| Double H Paving       | Snow Removal    | 11,104.43 | Dover, Sena S        | Bd Eval         | 922.50     |
| Drew, Brian           | Other Misc      | 150.00    | Duffy, Ryan          | Attorney Fees   | 6,672.50   |
| Duffy, Ryan           | Child Defense   | 169.20    | Eekhoff Law          | Attorney Fees   | 463.48     |
| Eich Law              | Attorney Fees   | 715.02    | Empire Baptist       | Other Misc      | 150.00     |
| Etterman Enterprises  | Small Tools     | 289.62    | Evans, Preston       | Investigators   | 281.40     |
| Exhaust Pros          | Automotive      | 121.80    | Family Svc           | Expenditures    | 195.00     |
| Fastenal              | Small Tools     | 113.15    | First Premier Bank   | Investigators   | 69.23      |
| Fleetpride            | Truck Repair    | 210.31    | Formatop             | Exhibit Mater   | 2,105.60   |
| Foster, Glenn         | Other Misc      | 150.00    | G&R Controls         | JDC Maint       | 125.00     |
| Galls Quartermaster   | Uniform Allow   | 393.44    | Garretson Gazette    | Publishing      | 738.08     |
| Geotek Engineering    | Museum Collect  | 645.50    | Good Home Rentals    | Welfare Rent    | 600.00     |
| Great Plains Psych    | Psych Evals     | 4,342.50  | Gunner, Andrea       | Court Reporter  | 115.60     |
| Guzman, Sandra V      | Interpreters    | 128.34    | Hardy Reynolds Law   | Attorney Fees   | 2,207.20   |
| Harmon, Karla         | Bd Eval         | 2,610.00  | Harris, Hank         | Program Act     | 200.00     |
| Hegerfeld, Alex       | Welfare Rent    | 700.00    | Heimdal, Marie Ann   | Court Reporter  | 192.60     |
| Heritage Funeral      | Burials         | 2,000.00  | Hobart Sales & Svc   | Jail Repairs    | 932.80     |
| Horizon Agency        | Expenditures    | 2,639.00  | HOV Services         | Microfilming    | 174.15     |
| Howalt Mcdowell Ins   | Other Prof      | 100.00    | HP Hewlett           | Data Process    | 204.51     |
| HyVee                 | Pharmacies      | 12.99     | I State Truck Center | Truck Repair    | 4.94       |

02/20/2018

|                       |                  |           |                       |                 |            |
|-----------------------|------------------|-----------|-----------------------|-----------------|------------|
| Inland Truck Parts    | Automotive       | 1,806.43  | Interstate Office     | Office Supplie  | 2,030.26   |
| ISS Facility Svc      | Contract Svc     | 15,685.00 | Jbart Construction    | Tea-Ellis Rang  | 1,200.00   |
| JCL Solutions         | Kitchen/Clean    | 2,546.67  | Jeff Larson Law       | Attorney Fees   | 94.00      |
| Johnson, Richard L    | Attorney Fees    | 2,007.84  | Johnson, Richard L    | Child Defense   | 291.40     |
| JSA Consult Engineer  | Architects       | 7,840.00  | Kading, Kunstle & Go  | Attorney Fees   | 1,081.00   |
| Katterhagen, Mark     | Bd Exp Fees      | 15.00     | Kelly, Donna          | Memberships     | 450.00     |
| Kennedy, Renee S      | Court Reporter   | 219.60    | Koch, James           | Other Misc      | 150.00     |
| Kolbeck Law           | Attorney Fees    | 2,155.74  | Kone                  | Other Prof      | 61.23      |
| Krause Law            | Attorney Fees    | 733.20    | Krueger, Travis       | Education       | 1,082.26   |
| Kull, Lisa            | Court Reporter   | 1,241.20  | Laughlin Law          | Attorney Fees   | 4,806.20   |
| Lewno Law             | Bd Exp Fees      | 164.96    | Lickide-Split Car     | Automotive      | 860.00     |
| Lisa Carlson Report   | Court Reporter   | 210.80    | Lockwood, Darcy       | Bd Exp Fees     | 15.00      |
| Lutheran Social Svcs  | Bd Eval          | 562.50    | Macs                  | Janitorial      | 23.96      |
| Macs                  | Small Tools      | 149.98    | Master Blaster        | Automotive      | 159.30     |
| McKesson Medical      | Clinics Aux      | 84.89     | Menards               | Bldg/Yard Rep   | 88.56      |
| Midamerican Energy    | Electricity      | 2,138.52  | Midco                 | Data Com        | 248.00     |
| Midco                 | Telephone        | 85.00     | Midtown Properties    | Welfare Rent    | 1,000.00   |
| Midwest Alarm         | Consultants      | 240.00    | Milstead, Michael W   | Business Trav   | 198.32     |
| Minn Cnty Museum Pet  | Program Activ    | 8.18      | Multicultural Center  | Interpreters    | 288.75     |
| Murray Properties     | Welfare Rent     | 469.00    | Myers Billion         | Child Defense   | 620.40     |
| Napa Auto Parts       | Automotive       | 162.98    | Napa Auto Parts       | Small Tools     | 41.80      |
| Nichole Carper        | Attorney Fees    | 1,451.40  | Northeast Investment  | Welfare Rent    | 1,400.00   |
| Novak Sanitary Svc    | Trash Removal    | 287.45    | Nyberg's Ace Hardware | HHS Maint       | 48.40      |
| Nyberg's Ace Hardware | Small Tools      | 50.01     | Osborn, Roxane R      | Court Reporter  | 25.00      |
| Parsons Transport     | Truck Repair     | 10,250.00 | Peoplefacts           | Recruitment     | 129.12     |
| Perezruz, Ileana      | Interpreters     | 50.00     | Peska Construction    | Museum Colle    | 388,519.80 |
| Pheasantland          | Printing/Form    | 942.86    | Phoenix Supply        | Child Care      | 539.66     |
| Phoenix Supply        | Child Care       | 209.83    | Rea, Perry            | Other Misc      | 150.00     |
| Record Keepers        | Records Storang  | 2,341.77  | Redwood Court         | Welfare Rent    | 581.00     |
| Reeves, Megan         | Court Reporter   | 68.40     | River Glen Place      | Welfare Rent    | 600.00     |
| Rubendall, Nedra      | Other Misc       | 150.00    | Sanford Laboratories  | Lab Costs       | 145.00     |
| Sanford Occupational  | Other Prof       | 160.75    | Sanford Occupational  | Professional    | 35.00      |
| Satellite Tracking    | Program Sup      | 3,347.50  | Schulte, Jason R      | Welfare Rent    | 450.00     |
| SD Assoc Of Criminal  | Memberships      | 1,000.00  | SD Dept Of Rev        | Other Misc      | 26.00      |
| SD Dept Of Rev        | Store Sales      | 52.51     | SD One Call           | Building Repair | 12.60      |
| SD State Archives     | Exhibit Mater    | 14.00     | Security Labs         | Maint           | 325.00     |
| Sehr, Francis J       | Welfare Rent     | 500.00    | Shopko Pharmacy       | Pharmacies      | 27.74      |
| Sioux Equip           | Bldg/Yard Rep    | 85.00     | Sioux Equip           | Gas,Oil,Diesel  | 138.27     |
| Sioux Falls Area      | Other Misc       | 3,295.86  | Sioux Falls City      | Blood/Chemical  | 2,835.00   |
| Sioux Falls Utilities | Water Sewer      | 849.51    | Solarwinds            | Maint           | 884.00     |
| St Francis House      | Other Prof       | 218.17    | Storhaug, Adrean      | Welfare Rent    | 1,000.00   |
| Stronghold Counseling | Psych Evals      | 1,750.00  | Sturdevants Auto      | Automotive      | 114.22     |
| Super Fast Auto       | Automotive       | 191.38    | Szameit, Alexandra    | Interpreters    | 175.00     |
| The Keg               | Jury Fees        | 168.34    | Thomson Reuters       | Legal Research  | 712.74     |
| Tires Tires Tires     | Gas,Oil,Diesel   | 92.67     | Tomacelli's Too       | Jury Fees       | 98.90      |
| Trane                 | Coliseum Main    | 772.04    | Trane                 | Heat,Vent       | 1,171.12   |
| Trane                 | HHS Maint        | 1,431.44  | Trane                 | Jail Repairs    | 1,559.32   |
| Trane                 | Juvenile Deten   | 611.96    | United Rentals        | Jdc Maint       | 162.08     |
| Variety Foods         | Other Prof       | 500.01    | Verizon Wireless      | Data Process    | 1,382.01   |
| Verizon Wireless      | HIDTA Grant      | 94.33     | Verizon Wireless      | Other Misc      | 108.64     |
| Verizon Wireless      | Safety & Res     | 164.65    | Verizon Wireless      | Telephone       | 5,140.30   |
| Vern Eide Motorcars   | HIDTA Grant      | 295.00    | Wadley, Darin         | Program Act     | 300.00     |
| Walmart               | Pharmacies       | 44.99     | Walmart               | Pharmacies      | 146.10     |
| Walton, Marcus        | Attorney Fees    | 1,579.20  | Walton, Marcus        | Child Defense   | 1,099.80   |
| Weerheim Law          | Attorney Fees    | 667.40    | Werede, Lul Melaku    | Welfare Rent    | 600.00     |
| Wet Rhino Truck Wash  | Truck Repair     | 985.00    | Wheelco Brake & Supp  | Truck Repair    | 56.28      |
| Wilka & Welter        | Attorney Fees    | 319.60    | Wynia, Marc           | Fed Drug Fund   | 1,035.00   |
| Xcel Energy           | Welfare Utilitie | 951.00    | Yankton Cnty Treas    | Attorney Fees   | 826.55     |
| Yellow Cab            | Transportation   | 27.90     | Zabel Steel           | Truck Repair    | 556.97     |
| Zandt, James R        | Welfare Rent     | 450.00    | Zep Sales & Svc       | Janitorial      | 127.36     |
| 121 Benefits          | Cobra Ins        | 1,413.33  |                       |                 |            |

02/20/2018

REPORT

The Minnehaha County Monthly Sheriff's Report for January 2018 and the January 2018 Register of Deeds Official Statement of Revenue Report were received and placed on file in the Auditor's Office.

PERSONNEL

MOTION by Bender, seconded by Karsky, to approve the following personnel changes. 4 ayes.

1. To promote Damian Kardas from Correctional Officer in Training (12/3) to Correctional Officer (13/3) for the Jail at \$18.53/hour effective 1/9/18.
2. To discharge Byron Jennings as Correctional Officer for the Jail effective 2/2/18.
3. To promote Paul Schuster from Air Guard Security Officer I (12/4) for the Air Guard to Deputy Sheriff (17/3) for the Sheriff's Office at \$22.57/hour effective 2/24/18.
4. To accept the resignation of Sara Steva as Juvenile Correctional Officer I for the Juvenile Detention Center effective 2/23/18.
5. To accept the resignation of Scott Kindvall as Appraiser for Equalization effective 2/23/18.
6. To accept the resignation of Elizabeth Ebert as Senior Deputy State's Attorney for the State's Attorney's Office effective 2/23/18.

Step Increases

1. Keith Wynia – Air Guard Supervisor – Air Guard – 16/16 – 1/19/18 - \$29.62/hour
2. Nathan Moser – Deputy Sheriff – Sheriff's Office – 17/4 – 2/20/18 - \$23.14/hour
3. James Wipf – Deputy Sheriff – Sheriff's Office – 17/18 – 12/17/17 - \$32.69/hour
4. Richard Johnson – STI Security Officer – STI Security – 13/5 – 2/15/18 - \$19.47/hour
5. Michael Tuschen – Road Maintenance Team Leader – Highway – 16/16 – 2/1/18 - \$29.62/hour
6. David Sorensen – Veterans Service Officer – Human Services – 16/4 – 2/14/18 - \$22.03/hour
7. Maggie Garry – Human Resources Generalist – Human Resources – 17/12 – 2/9/18 - \$28.19/hour
8. Janet Eden – Office Manager – State's Attorney's Office – 14/10 – 1/21/18 - \$23.14/hour
9. Michael Miller – Chief Deputy Public Defender – Public Defender's Office – 25/7 – 1/17/18 - \$3,787.20/bi-weekly
10. Sara Zishka – Administrative Secretary – Highway – 10/7 – 2/20/18 - \$17.63/hour

02/20/2018

## ABATEMENTS

MOTION by Beninga, seconded by Bender, to approve abatement of 2017 property taxes representing tax exempt status for the following: Brandon Valley School District, RDID 20573, 301 S Splitrock, Brandon, in the amount of \$2,338.66. 4 ayes.

MOTION by Bender, seconded by Karsky, to approve abatement representing an error to the injury of the complainant: 2014 property taxes, Travis Humpal, RDID 74609, 7500 W Tayberry Cir, Sioux Falls, in the amount of \$2,012.53; 2015 property taxes, Travis Humpal, RDID 74609, 7500 W Tayberry Cir, Sioux Falls, in the amount of \$1,927.26; and 2016 property taxes, Travis Humpal, RDID 74609, 7500 W Tayberry Cir, Sioux Falls, in the amount of \$1,805.75. 4 ayes.

MOTION by Karsky, seconded by Bender, to approve the following abatements representing the elderly assessment freeze for 2017 property taxes: RDID 62705, 600 N Sandberg Dr, Sioux Falls, in the amount of \$3,195.65; RDID 40893, 3108 N Wayland Ave, Sioux Falls, in the amount of \$149.78; and RDID 39790, 3432 S Phillips Ave, Sioux Falls, in the amount of \$525.24. 4 ayes.

## NOTICE

A notice was received from Paramedics Plus, LLC informing Minnehaha County that Alvarez & Marsal Capital Partners will acquire Paramedics Plus, LLC from East Texas Regional Health Systems on or before February 28, 2018.

## SPECIAL EVENT LICENSE HEARING

A public hearing was held for a Special Event On-Sale Liquor License Application submitted by Philanthropy Promotions Inc. The license would allow the sale and consumption of liquor at a fundraising event to be held on July 14, 2018, taking place at the W.H. Lyon Fairgrounds. The licensed property is legally described as Tracts 1, 2, & 3 WH Lyon Addn to City of Sioux Falls, located at 100 N Lyons Blvd, Sioux Falls. No one spoke in opposition. MOTION by Karsky, seconded by Bender, to approve the Special Event On-Sale Liquor License for Philanthropy Promotions Inc. for a fundraiser to be held on July 14, 2018, at the W.H. Lyon Fairgrounds. 4 ayes.

## REZONING HEARING

Kevin Hoekman, Planner, was present for the public hearing and gave the second reading of an amendment to Ordinance MC16-90, the 1990 Revised Zoning Ordinance. The amendment is to rezone from the A-1 Agriculture District to the Hope Harbor Planned Development District for the property legally described as beginning in the SE corner of Section 9-102-50 Thence W 716', Thence N 510', Then Northeasterly 864', Thence E53' Thence South 1060' to the point of the beginning. Unplatted Property SE ¼ SE ¼ Section 09-120-50 Benton Township, Minnehaha County, South Dakota. The property is 13.2 acres of a parcel of land that is approximately 159 acres in size, and is approximately ½ mile southwest of Crooks. The property is owned by Crooks Investment, LLC. The petitioner for the rezoning is Hope Harbor. The property owner has donated the land to the petitioner on the condition that the rezoning is approved. The petitioner intends to construct a group home for teen boys, who will live at the group home for approximately twelve (12) months. The site plan includes three (3) dwellings, three (3) out buildings to be utilized for school and vocational activities, a driveway, and small parking lot for each accessory building. Phase One for the site plan would be the construction of one (1) home that would house up to nine (9) boys and one (1) outbuilding that would house the school and vocational activities. The additional dwellings and outbuildings would come at a later phase if expansion was needed.

The ordinance amendment includes permitted uses; accessory uses; parking regulations; sign regulations; and density, area, yard, and height regulations. Other regulations include limiting the number of allowed dwellings to

02/20/2018

three (3); meeting appropriate state and federal design, operating, and licensing requirements; and three rows of trees to be planted as a buffer along the south boarder. The Minnehaha County Comprehensive Plan does not directly address the development of land for non-profit groups and institutions, but does include an action step to work with schools and public institutions for planning and siting of future development. The City of Crooks has been growing in the direction of the proposed development. The proposed development does have the potential to increase the density of dwellings. The rezoning proposal generally meets the policies and objectives of the comprehensive plan, and the County has supported a similar type of planned development with a mix of institutional, agricultural, and dwelling uses. The Planning Commission voted four (4) in favor and three (3) opposed to the rezoning. Mr. Hoekman stated up to six (6) youth may reside in a foster home, licensed or approved by a governmental agency, as part of a family dwelling. The planned development lists group home as a permissive use, therefore, any additional specifications as to the type of group home would need to be added to the ordinance amendment. Mr. Hoekman provided a comparison between the zoning of McCrossan Boys Ranch and Hope Harbor.

Communications via email and letter were received prior to the hearing from the following proponents: Ray Brooks, Dana Dykhouse, Audra Eide, Blake Hoffman, Kent Huisken, Val Huisken, Don Jacobs, Dale Jelen, Peter Kavula, Bruce Lamprecht, Daniel Lemme, Matt McCaulley, Cindy McKittrick, Cheryl Moe, Rick Odland, Doug Reade, Claudia Stenson, Kristin Swanson, Paul TenHaken, Jay Woudstra, Rob Broin, and Brad Gruhot. Communications via email and fax were received prior to the hearing from the following opponents: Jeannine Deters, Troy Kretzschmar, Jeanette and Randy Nielson, Betty Twiss, Cory Wintersteen, Nick Wintersteen, Derry and Jan Benson, Kevin Boysen, Cheryl Ferrie, Nancy Nelson McGraw, Rayla and Dave Otto, Vicki Siemonsma, Brent Williams, and Vincent Berry. A letter of opposition was received prior to the hearing from Tom Wintersteen that included a list of the names and addresses of 130 people with a designation of landowner and/or resident. Communication via email was received prior to the hearing from Aaron Schave, who neither expressed favor for or opposition against the rezoning.

The following proponents spoke: Claudia Stenson, 2158 Granite Cir NW, Rochester, MN, Founder of Hope Harbor, Governing Board Chair, and Expansion Coordinator; Dan Lemme, 45245 South Dakota Highway 34, Madison; Eric Willadsen, 902 S Cleveland Ave, Sioux Falls, Willadsen Lund Engineering; David Edwards, 606 E Tan Tara Cir, Sioux Falls, Attorney for the petitioner; and Cindy McKittrick, 690 Maple Street, Wabasso, MN, Hope Harbor Executive Director. The proponents spoke on the following topics and responded to concerns raised by the opposition: the Christian basis of the program; the success of other Hope Harbor locations; goals and objectives of the program; the voluntary placement program; the education, life skills, and counseling provided to the residents; the involvement of the family in their child's program; the boys' behavioral and criminal background factors that affect their program eligibility; the staffing plan; the neighborhood meetings held with area residents; how the location was chosen and other locations considered; Hope Harbor's 501(c)(3) status; the site plan and phases; engineering of the site; the plan for septic and water; the floodplain; the reason for and the creation of the exit strategy; the donation of the land being contingent on the approval of the rezoning; comparison to McCrossan Boys Ranch; denial of a similar rezoning request in Lincoln County; the origin of referrals to the program; the need for this type of facility in Minnehaha County; the current ownership of the property; and how the development fits into the Minnehaha County Comprehensive Plan. Mr. Willadsen provided a FEMA Floodplain Map for the site area. Scott Anderson, Planning Director, spoke on floodplain ordinance requirements, the governing agency that oversees the septic system, and the steps to gain a floodplain development permit and elevation certificate.

The following opponents spoke: Brian and Michelle Rippentrop, 46857 256<sup>th</sup> St, Crooks; William Pearson, 25678 465<sup>th</sup> Ave, Hartford; Jeannine Deters, 25774 468<sup>th</sup> Ave, Crooks; Tom Wintersteen, 25821 469<sup>th</sup> Ave, Sioux Falls; Ronald Johnson, 25732 466<sup>th</sup> Ave, Hartford; Oran Sorenson, 25504 485<sup>th</sup> Ave, Garretson; and Derry Benson, 25819 468<sup>th</sup> Ave, Sioux Falls. The opponents spoke on the following topics: the creation of building eligibilities; concerns regarding spot zoning and sprawl; the effect on traffic and road maintenance; security and safety of the neighbors and the boys; the effect on the surrounding agricultural land and eco-system; the availability of emergency services; housing density; the floodplain; the exit strategy; water line easements in the

02/20/2018

area; the effect on property values; whether or not the group home will receive any type of licensure through the State; question of ownership of the land being for-profit versus non-profit; whether or not the use fits with the Minnehaha County Comprehensive Plan or the 1990 Revised Zoning Ordinance, Article 10, PD Planned Development District; Crooks growth development challenges; how it will affect current residents seeking a country lifestyle; decrease in tax revenue for the County due to the non-profit status; and alternate locations. Mr. Benson also expressed his safety concerns by providing an example of boys from McCrossan Boys Ranch stealing his truck. Upon the request of Commissioner Karsky, Mr. Anderson spoke on what constitutes a residence.

MOTION by Karsky, seconded by Bender, to defer action for one week. Commissioners Beninga and Heiberger stated they would prefer to consider action prior to choosing to defer. Commissioner Karsky withdrew his motion. Commissioner Bender withdrew her second. Commissioner Karsky stated being in opposition of rezoning due to the rezone not meeting the intent of a PD Planned Development District in the following areas: the compatibility with the area, redevelopment of contiguous large lots, and preserving unique and natural features. Mr. Hoekman spoke on the intent of a PD Planned Development District and provided examples of approved and denied districts. Upon the request of Commissioner Bender, Mr. Hoekman stated the Planning and Zoning Department's reasons for recommending approval of the rezone indicating the type of institution and the proximity to Crooks' growth area were factors. Mr. Hoekman also addressed the current building eligibilities and how eligibilities are affected by a rezone. Commissioners Beninga, Bender, and Heiberger expressed support for the rezoning citing the need for this type of organization in Minnehaha County, the expected growth of the area, exit strategies being typical practice, and the opportunity to add provisions to the ordinance for any areas of concern. Commissioner Heiberger also noted her appreciation for Hope Harbor doing a planned development and allowing the County to be involved to place provisions on the development, as opposed to utilizing the one available building eligibility that does not require County approval. MOTION by Beninga, seconded by Karsky, to approve Ordinance MC16-153-18 with the addition of the following provisions: 6d. If State regulations require a certification or licensure for the type of group home program, the certificate or licensure must be obtained within one year. 3 ayes. Karsky voted nay. The entire ordinance is on file and available in the Auditor's Office.

#### AMENDMENT

Carol Muller, Commission Administrative Officer, presented an amendment to the Professional Services Agreement between Minnehaha County and Infrastructure Design Group for preliminary engineering on County Highways 146 and 103. The amendment would eliminate items associated with completing the preliminary engineering tasks related to the rehabilitation of Highway 103. The total fee reduction would be \$7,080 from the original fee amount of \$178,179 to a total fee amount of \$171,099. Due to utility delays, the amendment will allow for the completion date to be extend to March 31, 2018. MOTION by Beninga, seconded by Bender, to authorize the Chair to sign Amendment 1 to the Professional Services Agreement between Minnehaha County and Infrastructure Design Group, Inc. to be completed on March 31, 2018, with an amended agreement amount of \$171,099. 4 ayes.

#### AGREEMENT

Erin Srstka, Commission Program Development Officer, presented an agreement between Minnehaha County and OpenLattice for the design and implementation of a pretrial case management system, court reminder application, and a call-in defendant check-in system. The agreement outlines the following services and their costs: data integration service, no cost; Public Safety Assessment tool, no cost; pretrial case management tool, \$100 per monthly active user (MAU); defendant check-in system, \$50/MAU; court reminder short message service system, \$10/MAU; court reminder voice call system, \$25/MAU; and premium support, \$100/MAU. MOTION by Bender, seconded by Beninga, to authorize the Chair to sign the Service Agreement between Minnehaha County and OpenLattice, Inc. beginning upon execution of the agreement and ending twelve (12) months following the first operational use with an estimated total cost of \$11,100. 4 ayes.

02/20/2018

LEGISLATIVE UPDATE

Craig Dewey, Assistant Commission Administrative Officer, gave an update and status report of the 2018 Legislative Session on bills that impact Minnehaha County.

LIAISON REPORT

Commissioner Karsky reported on a meeting with Commissioner Bender and the Public Defender's Office regarding the state of the office noting the amount of time being taken to conduct mental health commitments and the number of murder trials pending versus the number of available public defenders.

MOTION by Bender, seconded by Karsky, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday February 27, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chair

ATTEST:

Olivia Larson  
Deputy Auditor